

## Modernizing Nicaragua's Judicial System



Photo: USAID/Florida International University

A Managua judge swears in a jury. Nicaragua began holding its first public oral trials after a new Criminal Procedures Code went into effect in December 2002.

Nicaragua's previous Criminal Procedures Code had not been changed since 1879. Under the old code, judges alone had principal responsibility for investigating and prosecuting crimes. All evidence was presented in writing, and people accused of crimes had little or no opportunity to present their side in court. A new Criminal Procedures Code to modernize Nicaragua's judicial system and strengthen democracy became effective in December 2002.

USAID has played an active role in supporting the development of the new code as well as preparing judges, prosecutors, public defenders and other participants in its implementation. Since 1999, USAID has provided \$3 million in assistance and training of judicial officials. With U.S. government support, experts from Latin American and Spain provided advice in drafting the new legislation. A month after the new code went into effect, Nicaragua began holding public oral trials of criminal cases for the first time.

The oral trials are one of the significant changes resulting from the country's new Criminal Procedures Code. Under the new code, judges are to act as impartial arbiters while prosecutors, public defenders and the police participate more actively in the judicial proceedings. The objective is to ensure a transparent public process in which rights of both the victims and the accused are respected.

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